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 Counsel for Plaintiffs
 Montblanc-Simplo GmbH and
 Montblanc North America, LLC

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----x
 MONTBLANC-SIMPLO GMBH and
 MONTBLANC NORTH AMERICA, LLC,

Plaintiffs,

v.

BOBLEY-HARMANN CORPORATION d/b/a
 MONTEFIORE FINE WRITING INSTRUMENTS,
 MONTEFIOREGIFTS.COM and GIFTVALUES.COM
 and JOHN DOES 1-10,

Defendants.

-----x
 Steven E. Cohen, Esq.
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 Counsel for Defendant
 Bobley-Harmann Corp.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: <u>11/16/07</u>
DATE FILED: <u>11/16/07</u>

CIVIL ACTION

No. 07-CIV-6956 (RJH) (AJP)

-----x

JOINT REPORT AND PROPOSED DISCOVERY SCHEDULE

In accordance with Rule 26(f), Federal Rules of Civil Procedure and the "Initial Scheduling Conference Notice and Order" the parties hereby report as follows and propose the following schedule:

1. Description of the Case

a. Identify the attorneys of record for each party; including lead trial attorney;

Attorneys for the Plaintiffs

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b. State the basis for federal jurisdiction;

Federal question, 28 U.S.C. §§ 1331 and 1338.

c. Briefly describe the claims asserted in the complaint and any counterclaims;

Infringement of trade dress in a pen design in violation of Lanham Act and common law.

d. State the major legal and factual issues in the case; and

Validity and infringement of trade dress; remedies.

e. Describe the relief sought.

Damages, profits and permanent injunction.

2. Proposed Case Management Plan

a. Identify all pending motions;

None.

b. Propose a cutoff date for joinder of additional parties;

February 28, 2008.

c. Propose a cutoff date for amendments to pleadings;

February 28, 2008.

d. Propose a schedule for completion of discovery, including:

i. A date for Rule 26 (a)(1) disclosures, if not previously completed;

December 15, 2007.

ii. **A fact discovery completion date;**

May 1, 2008.

iii. **A date for Rule 26 (a)(1) disclosures; and**

May 1, 2008.

iv. **An expert discovery completion date, including dates for delivery of expense reports;**

June 15, 2008.

e. **Propose a date for filing dispositive motions;**

June 30, 2008.

f. **Propose a date for filing a final pretrial order; and**

August 4, 2008.

g. **Propose a trial schedule, indicating:**

i. **Whether a jury trial is requested;**

Yes.

ii. **The probable length of trial; and**

Five (5) days.

iii. **When the case will be ready for trial.**

August 4, 2008.

3. **Consent to Proceed Before a Magistrate Judge – Indicate whether the parties consent unanimously to proceed before a Magistrate Judge.**

Not all parties so consent.

4. **Status of Settlement Discussions**

a. **Indicate whether any settlement discussions have occurred;**

No.

b. **Describe the status of any settlement discussions; and**

Plaintiffs need discovery before settlement discussions can be effectuated.

c. Whether parties request a settlement conference.

Plaintiffs' position is that a settlement conference will only be productive after the first round of discovery is completed.

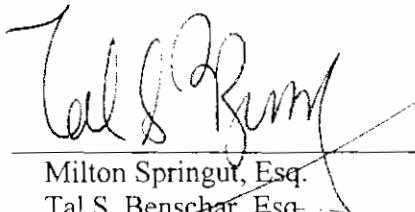
*5. A pre-trial conference
shall be held on
May 3, 2008 at
10:30 a.m.
CJ*

Respectfully submitted,

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Fax No. (212) 813-9600
Counsel for Plaintiffs
Montblanc-Simplo GmbH and
Montblanc North America, LLC

Dated: November 8, 2007

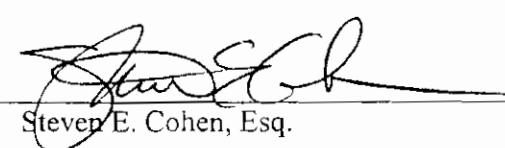
By:


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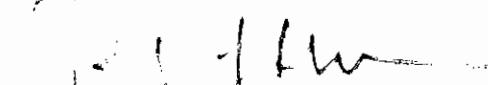
By:


Steven E. Cohen, Esq.

IT IS SO ORDERED:

Dated: 11/13/07, 2007

By:


Hon. Richard J. Holwell, U.S.D.J.